

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

| | | |
|---------------------------|---|---------------------------|
| PATRICK COYNE, et al., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | Case No. 4:16 CV 1937 CDP |
| |) | |
| FOUR LEAF CLOVER |) | |
| INVESTMENTS, LLC, et al., |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM AND ORDER


Upon review of plaintiff Patrick Coyne's Motion for Equitable Tolling of the Statute of Limitations and defendants' response to the motion, I agree with defendants that to rule the merits of the motion would be to render an advisory opinion on a question that is not ripe for adjudication. I will therefore deny the motion, but without prejudice to be refiled if and when the circumstances of this case require consideration of the issue raised. Further, given the status of the proceedings in the related case now pending in the Northern District of Illinois and in the Seventh Circuit Court of Appeals, and the parties' agreement that the case before me be administratively closed pending the outcome of those proceedings, I will administratively close this case and remove it from the active docket. Any motion seeking reopening of the case shall state:

- (a) the facts and procedural history, including any significant occurrences in the N.D. Illinois and Seventh Circuit proceedings;
- (b) the issues remaining for determination by this Court;
- (c) the potential for settlement, and the status of any settlement discussions;
- (d) whether a Rule 16 scheduling conference is requested;
- (e) the status of discovery;
- (f) whether significant pretrial motion practice, including the filing of potentially dispositive motions, is anticipated;
- (g) the date by which it is reasonably likely that the case would be ready to proceed to trial; and
- (h) the estimated length of trial.

Accordingly,

IT IS HEREBY ORDERED that plaintiff Patrick Coyne's Motion for Equitable Tolling of the Statute of Limitations [14] is denied without prejudice.

IT IS FURTHER ORDERED that the Clerk of the Court shall administratively close this action, subject to reopening on a motion filed in compliance with this Order.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 9th day of June, 2017.